



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शनिवार, 15 सितम्बर, 2001/24 भाद्रपद, 1923

हिमाचल प्रदेश सरकार

H. P. STATE LEGAL SERVICES AUTHORITY, BLOCK NO. 22, S. D. A. COMPLEX,
KASUMPTI, SHIMLA-171 009.

NOTIFICATION

Shimla-9, the 27th/28th August, 2001

No. 9-LSA/Regulation/96-1498.—In exercise of the powers conferred by section 29-A of the Legal Services Authorities Act, 1987 (Act No. 39 of 1987), the H. P. State Legal Services Authority is pleased to make the following regulations further to amend “the H. P. State Legal Services Authority Regulation, 1996” notified *vide* this office Notification No. 9-LSA/Regulation/96, dated 15-5-1996.

1. *Short title.*—These Regulations shall be called “The H. P. State Legal Services Authority (second amendment) Regulations, 2001”.

2. *Commencement.*—These shall come into force from the date of publication in Rajpatra, (H. P.)

3. *Amendment in schedule.*—(i) The existing part-I of schedule appended with the Regulations shall be substituted by the following provisions namely :—

SCHEDULE (Part-I)

Advocate engaged out of the panel as prepared for prosecuting/defending/protecting legal interest of a person granted free legal aid shall be entitled to the fee other than

the High Court as under :—

1. Maximum fee payable Rs. 1200/- per case excluding other incidental expenditure in any Court at Sub Divisional level, such as the Court of the Senior Sub Judge, Chief Judicial Magistrate, Sub Judge-*cum*-Judicial Magistrate Court of Assistant Commissioner 1st Grade, Sub Divisional Collector, Sub Divisional Magistrate, Tehsildar ;
2. Maximum fee payable Rs. 1600/- per case excluding other incidental expenditure at District level, such as the Courts of District Judge, Sessions Judge, Additional District Judge, Additional Sessions Judge, District Collector, Commissioner Revenue, District Consumer Forum established under the Consumer Protection Act, 1986 and Labour and Industrial Tribunal set up under the Industrial Dispute Act, 1947 ;
3. Maximum fee payable Rs. 3000/- per case excluding other incidental expenditure after disposal of the case at the H. P. State Administrative Tribunal level including the State Consumer Forum established under the Consumer Protection Act, 1986 and the Court of Financial Commissioner Revenue, (Appeals).
4. Maximum fee payable Rs. 4000/- per case excluding other incidental expenditure after disposal of the case at High Court level.
3. (ii) After Part-I of schedule, following Part-II shall be inserted, namely :—

(Part-II)

Fee schedule for acting as defence counsel for accused persons for Warrant cases, summon cases, appeal & revision, Legal Aid Counsel engaged out of the panel as prepared/approved by the District Legal Services Authority shall be entitled fee as under :—

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| 1. Maximum fee payable before the courts (Sub Divisional level). | Maximum Rs. 1200/- for warrant cases & summon cases (excluding other incidental expenditure). |
| 2. Maximum fee payable before the District level courts. | Maximum Rs. 1600/- for warrant cases, appeal & revision (excluding other incidental expenditure). |
| 3. Maximum fee payable before the High Court level. | Maximum Rs. 4000/- for appeal and revision (excluding other incidental expenditure). |

Explanation.—The payment should be made according to the Regulation 21 of the H. P. State Legal Services Authority Regulation, 1996 and instructions contained in Model scheme for “Legal Aid Counsel” in all courts of Magistrates.

- 3 (iii) The existing Part-II of the schedule shall be re-numbered as “Part-III”.

Part-III Fee payable to a panel lawyer under these regulations shall be made in two instalments as under :—

- (i) 1/2 of the fee, on engagement of the lawyer, payable, after first hearing of the case ;
- (ii) remaining fee, payable after the final decision of the case.

By order,

S. K. CHAUDHARY,
Member Secretary,
H. P. State Legal Services Authority,
Shimla-171 009.